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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,962	05/14/2001	Ioannis Kriaras	3-11-9-7	8820

7590 07/26/2005  
Docket Administrator (Room 3C-512)  
Lucent Technologies Inc.  
600 Mountain Avenue  
P.O. Box 636  
Murray Hill, NJ 07974-0636

EXAMINER

KADING, JOSHUA A

ART UNIT PAPER NUMBER

2661

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/854,962

Applicant(s)

KRIARAS ET AL.

Examiner

Joshua Kading

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/14/01</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in the European Patent Office on 19 May 2000. It is noted, however, that applicant has not filed a certified copy of application EP 00304249 as required by 35 U.S.C. 119(b).

### ***Claim Objections***

2. Claims 1, 6, 10, and 11 are objected to because of the following informalities:

Claim 1, line 3; claim 10, line 3; and claim 11, line 3 states, "and/or". This creates confusion because the words "and" and "or" have significantly different meanings. As such, it is recommended that "and/or" be changed to --and-- or --or--.

Claim 6, lines 1-2, "internet protocol network" should be changed to --internet protocol connection system-- to avoid an antecedent basis problem.

Claims 1, 10, and 11 should be rewritten in a more delineated format, with each component of the radio systems beginning on a new line. For example:

--A mobile radio system comprising:

a plurality of mobile stations...;

a first network... --

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-7, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,608,832 B2, Forslow.

Regarding claim 1, Forslow discloses, “a mobile radio system comprising:

a plurality of mobile stations linked to a radio network controller (*figure 2, mobile station 12 attached through base station 32 and radio network controller 34 where there are other base stations 30 and thus other mobile stations 12*),

a first network comprising a plain switched telephone network or an integrated services digital network (*figure 2, element 38*),

a second network comprising a public internet system (*figure 2, element 52*),

a first real time media gateway providing access to and from the first network, a second real time media gateway providing access to and from the second network, and wherein the first and second gateways comprise a common gateway (*figure 2, element 50*),

a third general packet radio system (GPRS) specific gateway providing access to and from the second network (*figure 2, element 54*),

an internet protocol connection system which responds to the address in the headers of the data stream flowing between the radio network controller and its destination to direct the data stream to its destination through a one of said first, second and third gateways, selected in accordance with the nature of the data in the stream whereby real time data is directed through either said first or said second gateway without passing through said third gateway (*figure 2, element 52 where the path through the mobile network is through the first and second gateways to the internet connection system 52 without traveling through gateway 54, and where it is inherent that the network use destination addresses for routing as discussed in col. 9, lines 25-37*).

Regarding claims 7 and 10, Forslow discloses the limitations of claim 1. Forslow further discloses, "wherein the path from the radio network controller to the third gateway involves a serving GPRS service node (SGSN) (*figure 2, element 50*)."

Regarding claim 2, Forslow discloses, "wherein said first gateway is a time division multiplexing to real time transport protocol media gateway (*col. 11, lines 22-33 where to connect to the mobile network and the IP network is to convert between the two protocols, thus the gateway is a time division to real time protocol since the mobile and IP network are real time respectively, support in figure 7*).

Regarding claim 3, Forslow discloses, "wherein said second gateway is real time transport protocol to real time transport protocol media gateway (*figures 2 and 7 show*

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*that the second gateway 50 functions to further transfer data from an RTP environment (i.e. the mobile network) to the IP network, which supports RTP traffic)."*

Regarding claim 5, Forslow discloses, "wherein the third gateway is a gateway GPRS support node (GGSN) (*figure 2, element 54*)."

Regarding claim 6, Forslow discloses, "wherein the internet protocol connection system comprises a public land mobile telephone network internet protocol core network (*figure 2, element 52 with the Public Land Mobile Network core*)."

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow in view of U.S. Patent Application Publication 2001/0031635 A1, Bharatia.

Regarding claim 8, Forslow lacks what Bharatia discloses, "comprising a media gateway controller for controlling said first, second and third gateways and said SGSN (*figure 1A, element 118, )*." It would have been obvious to one of ordinary skill in the art at the time of invention to include the media gateway controller to control the gateways

(*Bharatia, page 5, paragraph 0087*). The motivation for controlling the gateways is to allow the communication across varying networks through the converting functions of the gateways.

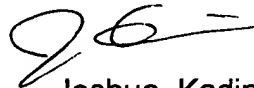
Regarding claims 9 and 11, Forslow discloses the limitations of claim 1. However, Forslow lacks what Bharatia discloses, "including a call control server for controlling calls between said third gate and said second network (*figure 1A, element 110B*).” It would have been obvious to one of ordinary skill in the art to include the call control server for the purpose of managing calls and services between two networks (*Bharatia, page 4, paragraph 0076*). The motivation to allow the services of each network to be utilized by the specific users when communicating.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (571) 272-3070. The examiner can normally be reached on M-F: 8:30AM-5PM.

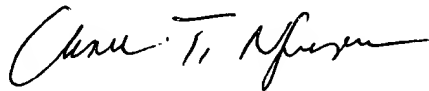
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joshua Kading  
Examiner  
Art Unit 2661

July 19, 2005



CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600